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Attorneys for reorganized debtor Acis Capital Management L.P. and Joshua N. Terry

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re

ACIS CAPITAL MANAGEMENT, L.P.

Debtor.

Chapter 11

Case No. 18-30264 (SGJ11)

(Jointly administered)

Motion for Entry of Stipulation and Agreed Order Extending Deadlines

COME NOW Acis Capital Management, L.P. (“Acis”) and Joshua N. Terry (“Terry”) and file this *Motion for Entry of Stipulation and Agreed Order Extending Deadlines* (the “Motion for Entry”) and would respectfully show the Court as follows:

1. On October 8, 2021, NexPoint Strategic Opportunities Fund (“NexPoint”) filed a *Motion For Limited Reconsideration Of Order Reopening Bankruptcy Case*. Dkt. 1256.
2. On October 8, 2021, Nexpoint filed a *Motion For Limited Reconsideration Of Order On Motion To Determine Discharge Injunction Of Relief From Same*. Dkt. 1257.

3. The deadline for any party to respond to the above-referenced motions [Docket Nos. 1256 and 1257] (collectively, the “NexPoint Motions for Reconsideration”) is currently October 29, 2021.

4. The parties have conferred and are currently engaged in discussions to potentially resolve the above-captioned action. For the purpose of continuing such discussions, the parties have stipulated and agreed to the extension of the deadline for any party to respond to the Motions for Reconsideration by 14 days, through and including November 12, 2021. A copy of the parties’ *Stipulation and Agreed Order*, signed by the parties, is attached hereto as **Exhibit A**.

5. The Stipulation and Agreed Order are submitted in good faith and in the interest of conserving judicial and party resources, and not for the purpose of delay.

6. As indicated by their signatures to the Stipulation and Agreed Order, counsel for NexPoint and U.S. Bank, N.A., agree with the relief requested in this Motion for Entry.

7. Based on the foregoing, Acis respectfully requests that the Court enter the Stipulation and Agreed Order attached hereto as Exhibit A, which extends the deadline for any papers in opposition to the NexPoint Motions for Reconsideration by 14 days, through and including November 12, 2021.

WHEREFORE, Acis and Terry respectfully submit that the Court (i) enter the Stipulation and Agreed Order attached hereto as **Exhibit A**, and (ii) for any such other and further relief to which it may be justly entitled.

Dated: October 28, 2021

By: /s/ Jeff P. Prostok

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*Attorneys for reorganized debtor Acis Capital
Management L.P. and Joshua N. Terry*

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that he has conferred with counsel for NexPoint and U.S. Bank regarding the relief requested in the foregoing Motion for Entry. As indicated by their signatures on the Stipulation and Agreed Order attached hereto as **Exhibit A**, counsel for NexPoint and U.S. Bank, N.A. agree to the entry of the Stipulation and Agreed Order.

/s/ Jonathan E. Pickhardt

Jonathan E. Pickhardt

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon all parties receiving electronic notice via the Court's CM/ECF system on October 28, 2021.

/s/ Jeff P. Prostok

Jeff P. Prostok

Exhibit "A"

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re

ACIS CAPITAL MANAGEMENT, L.P.

Debtor.

Chapter 11

Case No. 18-30264 (SGJ11)

(Jointly administered)

Stipulation and Agreed Order Extending Deadlines

The following is hereby stipulated and agreed by and between NexPoint Strategic Opportunities Fund (“NexPoint”), Acis Capital Management, L.P. (“Acis”), and Joshua N. Terry (“Terry”), and U.S. Bank National Association, in its capacity as the CLO Trustee.

1. On October 8, 2021, NexPoint filed a Motion For Limited Reconsideration Of Order Reopening Bankruptcy Case. Dkt. 1256.

2. On October 8, 2021, Nexpoint filed a Motion For Limited Reconsideration Of Order On Motion To Determine Discharge Injunction Of Relief From Same. Dkt. 1257.

3. The deadline to respond to the above-referenced motions is currently October 29, 2021.

4. The parties have conferred and are currently engaged in discussions to potentially resolve the above-captioned action. For the purpose of continuing such discussions, the parties have stipulated and agreed to the extension of the deadline for any party to respond to the Motions for Reconsideration by 14 days, through and including November 12, 2021.

5. The parties submit this stipulation and agreed order in good faith and in the interest of conserving judicial and party resources, and not for the purpose of delay.

IT IS HEREBY STIPULATED, AGREED and ORDERED that the deadlines for any party to oppose NexPoint's Motions for Reconsideration is extended by 14 days, through and including November 12, 2021.

END OF ORDER

AGREED AS TO SUBSTANCE AND FORM:

<p>MUNSCH HARDT KOPF & HARR, P.C.</p> <p>By: <u>/s/ Davor Rukavina</u> Davor Rukavina, Esq. Texas Bar No. 24030781 Julian P. Vasek, Esq. Texas Bar No. 24070790 500 N. Akard St., Ste. 3800 Dallas, Texas 75201 Telephone: (214) 855-7500 Facsimile: (214) 855-7584 Email: drukavina@munsch.com Email: jvasek@munsch.com</p> <p>ATTORNEYS FOR NEXPOINT STRATEGIC OPPORTUNITIES FUND</p>	<p>FORSHEY & PROSTOK, LLP</p> <p>By: <u>/s/ Jeff P. Prostok</u> Jeff P. Prostok State Bar No. 16352500 Suzanne K. Rosen State Bar No. 11935020 FORSHEY & PROSTOK LLP 777 Main Street, Suite 1550 Fort Worth, Texas 76102 Telephone: (817) 877-8855 Facsimile: (817) 877-4151 jprostok@forsheyprostok.com srosen@forsheyprostok.com</p> <p>- and -</p>
<p>FROST BROWN TODD LLC</p> <p>By: <u>/s/ Daniel P. Novakov</u> Daniel P. Novakov State Bar No. 15120800 2101 Cedar Springs Road, 900 Rosewood Court Dallas, Texas 75201 Tel: (214) 580-5840 Fax: (214) 545-3473 Email: dnovakov@fbtlaw.com</p> <p>- and -</p> <p>SEWARD & KISSEL LLP</p> <p>By: <u>/s/ Mark D. Kotwick</u> Mark D. Kotwick (pro hac vice) Arlene R. Alves (pro hac vice) One Battery Park Plaza New York, New York 10004 Tel.: (212) 574-1200 Fax: (212) 480-8421 Email: kotwick@sewkis.com alves@sewkis.com</p> <p>COUNSEL FOR U.S. BANK NATIONAL ASSOCIATION, IN ITS CAPACITY AS THE CLO TRUSTEE</p>	<p>QUINN EMANUEL URQUHART & SULLIVAN LLP</p> <p>Jonathan E. Pickhardt (pro hac vice) NY State Bar No. 3041191 Blair A. Adams (pro hac vice) NY State Bar No. 5221924 Eric D. Winston (pro hac vice) CA State Bar No. 202407 51 Madison Avenue, 22nd Floor New York, New York 10010 Telephone (212) 849-7000 Facsimile (212) 849-7100 jonpickhardt@quinnemanuel.com blairadams@quinnemanuel.com ericwinston@quinnemanuel.com</p> <p>ATTORNEYS FOR ACIS CAPITAL MANAGEMENT, L.P. AND JOSHUA N. TERRY</p>